

Feb-27-1980

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 26, 1980
ADJOURNED TO WEDNESDAY, FEBRUARY 27, 1980
AT 9:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR
CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 9:47 a.m. Mayor Wilson adjourned the meeting at 11:51 a.m. into Executive Session on pending litigation in the 11th Floor Conference Room West.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present. (1) Councilmember Mitchell-present. (2) Councilmember Cleator-present. (3) Councilmember Lowery-present. (4) Councilmember Williams-present. (5) Councilmember Schnaubelt-present. (6) Councilmember Gotch-present. (7) Councilmember Stirling-present. (8) Councilmember Killea-present.
Clerk-Abdelnour (kb)

Feb-27-1980 ITEM-300:

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DESCRIPTION:

Clerk Abdelnour called the roll:

Mayor Wilson-present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Lowery-present.

Councilmember Williams-present.

Councilmember Schnaubelt-present.

Councilmember Gotch-present.

Councilmember Stirling-present.

Councilmember Killea-present.

Feb-27-1980 ITEM-334:

FILE: PM-79-436

DESCRIPTION:

(Continued from the Meetings of December 18, 1979 and January 22, 1980 at Mr. Al Tarvyd's request.)

APPEAL of STEPHENIE ZINOVOY from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP PM-79-436, which proposes a two-lot division of LOT 3, SORRENTO ESTATES, MAP-8735. The subject property is located on the south side of Arroyo Sorrento Road, east of Tierra Del Sur in the A-1-1 (HR) ZONE and within the boundaries of the Progress Guide and General Plan. (DISTRICT-1) (PM-79-436)

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-09-23 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; and

Subitem-B: (R-80-)

Adoption of a RESOLUTION granting or denying the appeal and the preliminary parcel map with appropriate findings to support Council action.

COUNCIL ACTION: (Tape location: 096-117).

Appeal denied.

Hearing began at 11:23 a.m. Hearing halted at 11:44 a.m.

Cleator left at 11:37 a.m.

Testimony in favor by Al Tarvyd.

MOTION BY SCHNAUBELT TO CLOSE THE HEARING AND GRANT THE APPEAL.

Second by

Stirling. Failed by the following vote: Mitchell-nay. Cleator-not present.

Lowery-yea. Williams-nay. Schnaubelt-yea. Gotch-nay. Stirling-yea.

Killea-nay. Mayor Wilson-yea.

Due to a lack of five affirmative votes the appeal is deemed denied.

Subitem (A) is continued to March 3, 1980, 2:00 p.m., as unfinished business.

Feb-27-1980 ITEM-336:

FILE: PERM CCP-49

DESCRIPTION:

APPEAL of OCEAN BEACH PLANNING BOARD, by Robert Burns, from the decision of the PLANNING COMMISSION APPROVING CONDOMINIUM CONVERSION PERMIT NO. 49 and

TENTATIVE SUBDIVISION MAP-79-512 which proposes the conversion of existing apartment units (LOFTUS CONDOMINIUMS) to condominiums. The subject property is located on the south side of Niagara Avenue between Bacon Street and Ocean Boulevard in the C ZONE, within the boundaries of the Ocean Beach Community Plan (Peninsula) and is more particularly described as LOTS 43 through 45, BLOCK 71, OCEAN BEACH, MAP-279. (DISTRICT-6) (CCP-49) (T.M. 79-512)

Subitem-A: (R-80-)

Adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action; and

Subitem-B: (R-80-)

Adoption of a RESOLUTION granting the appeal and denying the tentative map or denying the appeal and granting the tentative map with appropriate findings to support Council action.

COUNCIL ACTION: (Tape location: 117-123).

Subitem-A filed.

Subitem-B filed.

Hearing began at 11:44 a.m. Hearing halted at 11:51 a.m.

MOTION BY GOTCH TO FILE BECAUSE APPEAL WAS NOT FILED BY A TENANT.

Second by

Killea. Passed by the following vote: Mitchell-yea. Cleator-not present.

Lowery-yea. Williams-not present. Schnaubelt-not present. Gotch-yea.

Stirling-yea. Killea-yea. Mayor Wilson-yea.

Feb-27-1980 ITEM-337:

FILE: MEET

DESCRIPTION:

(O-80-) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 9, by AMENDING certain sections from SECTION 101.0990 through SECTION 101.0999 of the San Diego Municipal Code relating to the establishment of a CONDOMINIUM AND STOCK CO-OPERATIVE CONVERSION PERMIT PROCEDURE.

COUNCIL ACTION: (Tape location: 002-074).

Failed.

Hearing began at 9:48 a.m. Hearing halted at 11:01 a.m.

MOTION BY GOTCH TO INTRODUCE THE ORDINANCE AS AMENDED, DELETING THE PROVISION

REQUIRING 30 PERCENT DEDICATION FOR LOW AND MODERATE INCOME UNITS ON PAGE 6,

AND ADDING THE WORDING "EXCEPT FOR THOSE PERTAINING TO ENERGY CONSERVATION" AT

THE END OF ITEM 7, PAGE 6. Second by Killea. Failed by the following vote:

Mitchell-yea. Cleator-nay. Lowery-nay. Williams-yea. Schnaubelt-nay.

Gotch-yea. Stirling-nay. Killea-yea. Mayor Wilson-nay.

Due to the lack of five affirmative votes the ordinance was not introduced.

Feb-27-1980 ITEM-S500:

FILE: MEET

DESCRIPTION:

(O-80-243) An EMERGENCY ORDINANCE to PRESERVE the public health, safety and welfare by AMENDING THE CONDOMINIUM CONVERSION ORDINANCE of the City of San

Diego. (Initiated by Mayor Wilson.)

COUNCIL ACTION: (Tape location: 081-090).

Adopted as Ordinance O-15206 (New Series).

MOTION BY KILLEA TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT AS AN

EMERGENCY ORDINANCE FOR \$280 OR LESS. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-nay. Williams-yea.

Schnaubelt-nay. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Motion by Stirling to refer to Planning question on how adequate disclosure may be made to prospective purchaser of condominium unit converted from apartment unit and proper procedure with respect to hearing appeals. Second by Lowery. Passed by the following vote: Yeas-1,2,3,4,6,7,M. Nay-5.

Feb-27-1980 ITEM-S501:

FILE: MEET

DESCRIPTION:

(O-80-234) INTRODUCTION of an ORDINANCE amending Chapter X, Article 1, Division 9 of the San Diego Municipal Code by ADDING SECTION 101.0994.2 to provide for a CONDOMINIUM CONVERSION DEFERRAL CONTRACT.

COUNCIL ACTION: (Tape location: 090-096).

Introduced as amended, to be adopted March 10, 1980.

MOTION BY GOTCH TO INTRODUCE WITH THE AMENDMENT TO STRIKE CITY OF SAN DIEGO.

Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea.

Killea-yea. Mayor Wilson-yea.

Feb-27-1980 ADJOURNMENT:

FILE: Minutes File

DESCRIPTION:

Mayor Wilson adjourned the meeting at 11:51 a.m. into Executive Session on Pending Litigation in the 11th Floor Conference Room West.